

May 20, 2004

VIA CERTIFIED/RETURN RECEIPT REQUESTED:

KY. Dept. for Local Government
1024 Capital Center Drive
Frankfort, KY 40601

Secretary of State
700 Capital Avenue, Suite 152
Frankfort, KY 40601

BOONE COUNTY CLERK Marilyn Rouse
P.O. Box 874
Burlington, KY 41042

VIA FIRST CLASS MAIL:

Boone County Judge/Executive Gary Moore
P.O. Box 900
Burlington, KY 41005

Kevin Costello, Executive Director
(C/o) Vicki Myers
Boone County Planning Commission
2995 Washington Street
Burlington, KY 41005

Bob Townsend, Director
Florence Public Services
Florence Government Center
Florence, KY 41042

Peter Glenn, Project Manager
Florence Public Services
Florence Government Center
Florence, KY 41042

Police Chief Tom Kathman
Florence Police Department
Florence Government Center
Florence, KY 41042

RECEIVED AND FILED
DATE May 25, 2004

TREY GRAYSON
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Handi Adkins

Fire/EMS Chief Jim McMillen
Florence Fire/EMS Department
Fire Station 3, 1152 Weaver Road
Florence, KY 41042

Finance Director Linda Chapman
Florence Finance Department
Florence Government Center
Florence, KY 41042

City Attorney Hugh O. Skees
7699 Ewing Boulevard
Florence, KY 41042

Director
Boone Co. Public Safety Communications Center
Florence Government Center
Florence, KY 41042

BOONE COUNTY SHERIFF Mike Helmig
P.O. Box 198
Burlington, KY 41005

Boone Co. Property Valuation Administrator Ron Burch
P.O. Box 388
Burlington, KY 41005

Boone County GIS
2995 Washington Street
Burlington, KY 41005

Jim Key, Chief Building Official
Boone County Building Inspection Office
5958 Garrard Street
Burlington, KY 41005

Dan Maher, Director
Boone County Emergency Management
6024 Rogers Lane
Burlington, KY 41005

Bill Viox, City Engineer
Viox & Viox Inc.
466 Erlanger Road
Erlanger, KY 41018

Boone County Board Of Education
8330 U.S. 42
Florence, KY 41042

Northern Kentucky Area Development District
22 Spiral Drive
Florence, KY 41042

CSI Waste Services of Greater Cincinnati
Att: Tim Trost
11563 Mosteller Road
Cincinnati, OH 45241

CINCINNATI BELL TELEPHONE
Att: Julie Orick 102-1100
201 East Fourth Street
Cincinnati, OH 45201

CINERGY
Att: Jim Gillespie
424 Gest Street, Room 317
Cincinnati, OH 45202

OWEN ELECTRIC COOPERATIVE, INC.
Att: Bill Prather
510 South Main
Owenton, KY 40359

INSIGHT COMMUNICATIONS
Att: Linda Begnoche
180 Barnwood Drive
Edgewood, KY 41017

Kentucky League of Cities
101 E. Vine Street, Suite 600
Lexington, KY 40507-3700

Mr. Gene Roland
Address Management Systems
U. S. Postal Service
1591 Dalton Street
Cincinnati, OH 45234-9321

Postmaster Nancy Huber
FLORENCE POST OFFICE
7101 Turfway Road
Florence, KY 41042

Daniel D. Burns
President, Good Shepherd Lutheran Church
9066 Gunpowder Road
Florence, KY 41042

Dear Sir:

Enclosed please find certified copies of City of Florence, Kentucky Ordinance No. O-11-04 annexing certain territory consisting of a parcel of approximately 4.3 acres located at 9066 Gunpowder Road, adjacent to the City limits of Florence. This property was annexed at the request of Good Shepherd Lutheran Church, Inc., owner. Exhibits A, the legal description and B, the plat map of said property, are included herewith. **According to the owner, there are no (0) registered voters residing on these properties at present.**

First reading of Ordinance No. O-11-04 was held on April 13, 2004. Second reading was held on April 20, 2004, and the full Ordinance was published in the *Boone County Recorder* on April 29, 2004 at which time the Ordinance became statutorily official.

If you require additional information, please contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Joseph A. Christofield", with a stylized flourish at the end.

Joseph A. Christofield, City Clerk

ORDINANCE NO. O-11-04

AN ORDINANCE ANNEXING CERTAIN TERRITORY CONSISTING OF A PARCEL OF APPROXIMATELY 4.3 ACRES LOCATED AT 9066 GUNPOWDER ROAD, ADJACENT TO THE CITY LIMITS. (GOOD SHEPHERD LUTHERAN CHURCH PROPERTY)

WHEREAS, Good Shepherd Lutheran Church, Inc., being the owner of record of the hereinafter described territory (the "territory"), has requested that the City of Florence, Kentucky (the "City") annex the territory and, pursuant to K.R.S. 81A.412, the owner has given written consent to such annexation; and

WHEREAS, the City has determined that it is desirable to annex the territory which is contiguous to the boundaries of the City, and

WHEREAS, pursuant to K.R.S. 100.209(1) the City makes the election that after annexation the territory shall remain subject to the same land use restrictions as applied to it prior to annexation until such restrictions are changed in accordance with K.R.S. Chapter 100.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF FLORENCE, KENTUCKY, AS FOLLOWS:

SECTION I

The City finds that the hereinafter described unincorporated territory meets the requirements of K.R.S. 81A.410 and is as follows:

- (a.) Is contiguous to the boundaries of the City, and
- (b.) Is urban in character and suitable for development for urban purposes without unreasonable delay, and
- (c.) Is not included within the boundary of another incorporated city.

SECTION II

That the territory, described in Exhibit "A" and shown on Exhibit "B" each of which is attached hereto and incorporated herein by reference, shall be and the same is hereby annexed to the City of Florence, Kentucky.

SECTION III

The owner of record of the territory has filed with the City written consent to this annexation under K.R.S. 81A.412 and therefore, the following do not apply to this annexation: (a) the notification ordinance required by K.R.S. 81A. 420(1); (b) the notice requirement of K.R.S. 81A.425; and (c) the waiting period of K.R.S. 81A.420(2).

SECTION IV

Pursuant to K.R.S. 100.209(1) the territory shall, after annexation, remain subject to the same land use restrictions as applied to it prior to annexation, until those restrictions are changed in accordance with K.R.S. Chapter 100.

SECTION V

This ordinance shall be published in full.

PASSED AND APPROVED ON FIRST READING THIS 13th DAY OF April, 2004.

PASSED AND APPROVED ON SECOND READING AND PUBLICATION ORDERED THIS 20th DAY OF April, 2004.

APPROVED:

Deane E. Whaler
MAYOR

ATTEST:

Joseph A. Christofield
CITY CLERK

I, Joseph A. Christofield, City Clerk for the City of Florence, Kentucky, do hereby certify that the foregoing is a true and correct copy of Ordinance O-11-04 as same appears in the official records of my office.

Dated this 17 day of MAY, 2004.

Joseph A. Christofield
Florence City Clerk

RECEIVED AND FILED
DATE May 25, 2004

TREY GRAYSON
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Janie Addison

CITY OF FLORENCE, KENTUCKY

READING SUMMARY

ORDINANCE NO. 0-11-04

AN ORDINANCE ANNEXING CERTAIN TERRITORY CONSISTING OF A PARCEL OF APPROXIMATELY 4.3 ACRES LOCATED AT 9066 GUNPOWDER ROAD, ADJACENT TO THE CITY LIMITS. (GOOD SHEPHERD LUTHERAN CHURCH PROPERTY)

SUMMARY

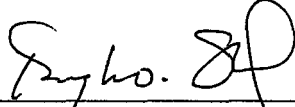
This Ordinance annexes and makes a part of the City a tract of approximately 4.3 acres located at 9066 Gunpowder Road, adjacent to the City limits.

This annexation is in response to a request by Good Shepherd Lutheran Church, Inc., the owner, to have the property become part of the City. The annexation will be complete upon second reading and publication of this Ordinance.

After annexation the property will remain subject to the same land use restrictions as applied prior to annexation.

CERTIFICATION

I hereby certify that the foregoing is a summary of the contents of the Ordinance titled above and that it was prepared by me this 2nd day of March, 2004, and I am an attorney licensed to practice law in the Commonwealth of Kentucky.



HUGH O. SKEES, KBA#64730
SKEES, WILSON & DILLON, PLLC
7699 Ewing Blvd., P.O. Box 756
Florence, KY 41042-0756
Phone: (859) 371-7407
Fax: (859) 371-9872

EXHIBIT

“A”



March 23, 2004

DESCRIPTION OF 4.371 ACRES
TO BE ANNEXED BY
THE CITY OF FLORENCE

- Planning

- Design

Beginning at a point in the centerline of Gunpowder Road at the most northwesterly corner of the Good Shepherd Lutheran Church (Deed Book 725, page 137); thence leaving said centerline N 67°59'58" E a distance of 256.75 feet to a point; thence S 67°12'01" E a distance of 298.00 feet to a point; thence S 27°27'00" E a distance of 316.00 feet to a point; thence S 71°17'28" W a distance of 372.12 feet to a point in the centerline of Gunpowder Road; thence with said centerline N 32°03'15" W a distance of 34.53 feet to a point; thence leaving said centerline S 57°56'45" W a distance of 25.00 feet to a point in the east line of the City of Florence; thence with said east line N 24°08'03" W a distance of 106.29 feet to a point; thence N 53°38'03" W a distance of 49.05 feet to a point; thence leaving said east line N 50°56'12" E a distance of 25.00 feet to a point in the centerline of Gunpowder Road; thence with said centerline N 39°03'48" W a distance of 264.55 feet to a point; thence N 32°57'26" W a distance of 66.54 feet to the point of beginning containing 4.371 acres.

- Surveying

EXHIBIT

“B”

NOTE: THIS PLAT WAS PREPARED USING EXISTING DEEDS AND PLATS OF RECORD AND CURRENT BOONE COUNTY GIS INFORMATION. NO FIELD SURVEY WAS PERFORMED.

PLAT OF 4.37± ACRES
TO BE ANNEXED BY
THE CITY OF FLORENCE

BOONE COUNTY

KENTUCKY

EASTERLY R/W LINE OF GUNPOWDER ROAD
0.45 MILE SOUTH OF U.S. HIGHWAY 42

MARCH 23, 2004

SCALE: 1" = 100'

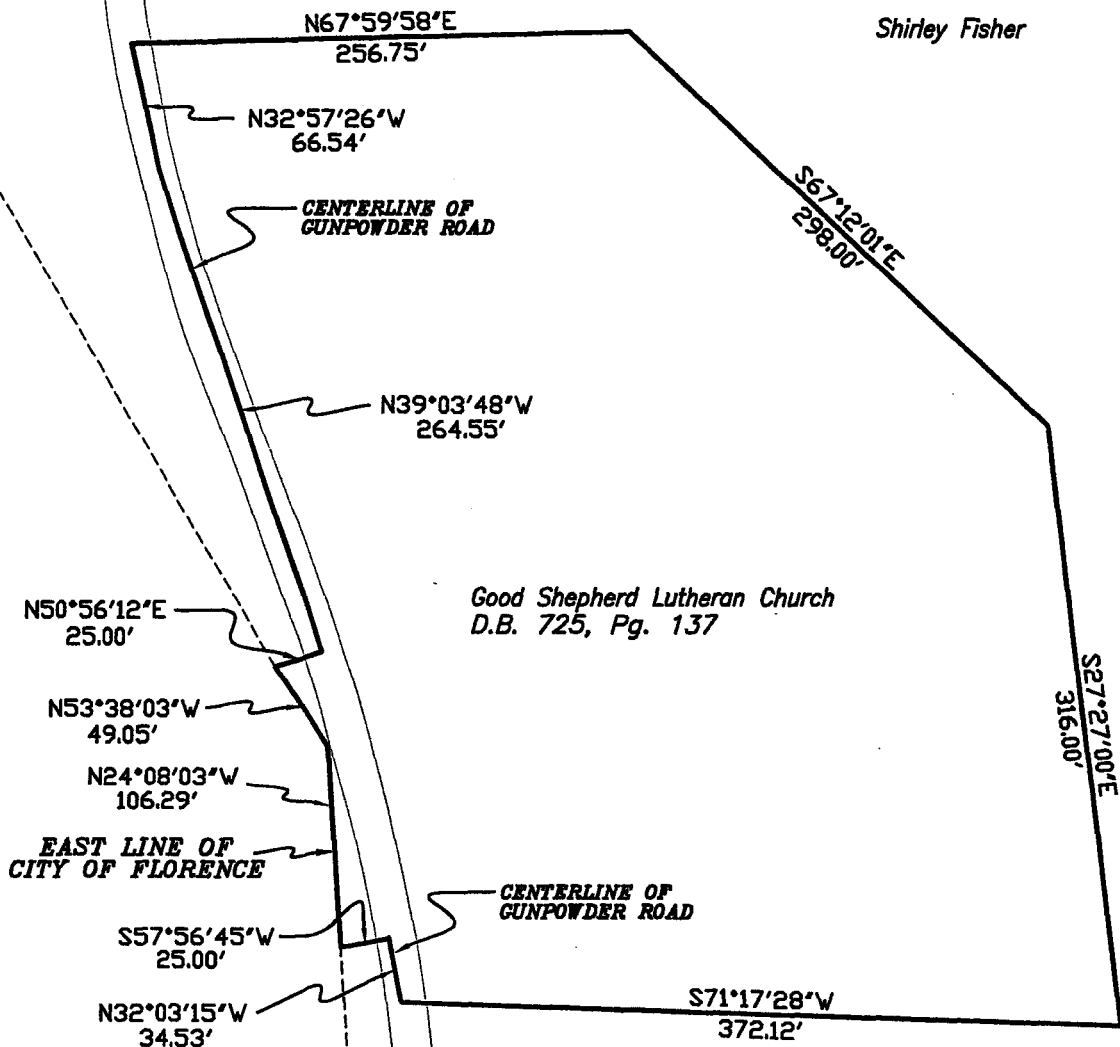
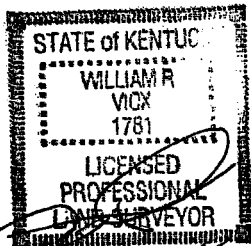


VIOX & VIOX, INC.
Engineers • Surveyors • Landscape Architects

466 Erlanger Road
Erlanger, Kentucky 41018

Tel: 859-727-3293
Fax: 859-727-8452

e-mail: viox@nkol.net



Shirley Fisher

Good Shepherd Lutheran Church
D.B. 725, Pg. 137

Kenneth Elder
D.B. 161, Pg. 393

**CONSENT TO ANNEXATION
BY THE CITY OF FLORENCE, KENTUCKY**

The undersigned hereby consent to and request that the City of Florence, Kentucky, annex the real property which is described and shown on the legal description and plat which are attached hereto, and in connection therewith, the following representations are made to the City:

- a. All of the owners of record of said real property have signed below;
- b. The real property meets the requirements of K.R.S. 81A.410;
- c. Such annexation is consented to under the provisions of K.R.S. 81A.412 and it is acknowledged that by reason of such consent, the City shall not be required to (1) enact the notification ordinance of K.R.S. 81A.421(1); or (2) to comply with the notice requirements of K.R.S. 81A.425; or (3) to wait the 60 day period provided for in K.R.S. 81A.420(2). The City may accomplish this annexation by the enactment and publication of a single ordinance.

Pursuant to K.R.S. 100.209 as it affects zoning of such real estate after annexation, it is hereby requested: (check one)

- a. ☒ That such real estate shall remain subject to the same land use restrictions as applied to it prior to annexation; or
- b. ☐ That the City amend its Comprehensive Plan and official Zoning Map so that after annexation, such real property will have the following zone:

NOTE: This consent to annexation must be signed by all owners of record. If the owners are married individuals, their spouses must sign. If the owners are corporations, LLC's, partnerships, etc., the authorized officers must sign, and a copy of the resolution authorizing execution must be attached.

The following documents MUST be attached to this Consent.

- a. A plat showing an accurate map of the real estate (K.R.S. 81A.470(1)); and
- b. A metes and bounds legal description of the real estate (K.R.S. 81A.470(1)); and
- c. Copies of the document(s) from which owners source of title is derived; and
- d. A list of the names and addresses of those property owners and registered voters who reside within the boundaries of the real property (K.R.S. 81A.475).

Good Shepherd Lutheran Church

Daniel D. Burns / President

Printed/Typed Name of Owner

Signature

Date

9066 Gunpowder Road, Florence KY 41042 (859) 746-9066

Address

Phone

Dave Schneider / Financial Secretary

Printed/Typed Name of Owner

Signature

Date

9066 Gunpowder Road, Florence, KY 41042 859-746-9066

Address

Phone

Louise R. Hossfeld Treasurer

Printed/Typed Name of Owner

Signature

Date

9066 Gunpowder Rd Florence KY 41042 859-746-9066

Address

Phone